

Docket No. 0638MH-35583

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD OF PRODUCING, SELLING, AND DISTRIBUTING ARTICLES OF MANUFACTURE

further identified by attorney docket no. 0638MH-35583.

This application claims the benefit of U.S. Provisional Application Serial No. **60/144,682**, filed **20 July 1999**, entitled **Supply Chain Pricing**; and U.S. Provisional Application Serial No. **60/149,011**, filed **13 August 1999**, entitled **Method of Producing, Selling and Distributing Articles of Manufacture**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to my person to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint **Melvin A. Hunn, Reg. No. 32,574, Kenneth C. Hill, Reg. No. 29,650, and James E. Walton, Reg. No. P-47,245** to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Hill & Mann LLP

Applicant or Patentee: **JOHN A. KUELBS ET AL.**

Serial or Patent No.:

Filed or Issued:

For: METHOD OF PRODUCING, SELLING, AND DISTRIBUTING ARTICLES OF MANUFACTURE

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27 (b))
SMALL BUSINESS CONCERN**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **METHOD OF PRODUCING, SELLING, AND DISTRIBUTING ARTICLES OF MANUFACTURE** by inventors John A. Kuelbs et al. described in:

- ☒ the specification filed herewith
☐ application serial no. _____
☐ filed _____
☐ patent no. _____
☐ issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status

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as small entities (37 CFR 1.27).

FULL NAME:
ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit
Organization

FULL NAME:
ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit
Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME AND TITLE OF PERSON SIGNING: Gustav P. Kuelbs

Title: Chief Operating Officer

SIGNATURE OF PERSON SIGNING: Justin P. Kralber

DATE: 7-19-2000

ADDRESS OF PERSON SIGNING: 280 Commerce
Southlake, Texas 76092